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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 DOUGLAS JOHN MARTIN TOBIN,

9 Plaintiff,

10 v.

11 STATE OF WASHINGTON AND PIERCE
12 COUNTY,

13 Defendants.

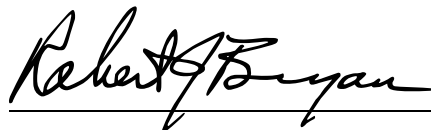
No. 08-5591RJB/JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

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15 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
16 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining
17 record, does hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation (Dkt. 23);
19 (2) Pierce County is **DISMISSED WITHOUT PREJUDICE** from this action for the
20 reasons set forth in the Report and Recommendation.
21 (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for the
22 defendant, and to the Hon. J. Richard Creatura.

23 DATED this 9th day of June, 2009.

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26 ROBERT J. BRYAN
United States District Judge